

PTO/SB/80 (01-06)

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer Number:

20872

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

20872

OR



Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email


Assignee Name and Address:

Yahoo! Inc.  
701 First Avenue  
Sunnyvale, California 94089

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/88 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	1/26/07
Name	Duane Valz	Telephone	408-349-1056
Title	ASSOC. GEN'L COUNSEL		

sf-2168786

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Approved for use through 07/31/2008. OMB 0881-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Yahoo! Inc.

Application No./Patent No./Control No.: 09/086,821 Filed/Issue Date: May 29, 1998

Entitled: WEB SERVICE

Yahoo! Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
  2. ☐ an assignee of less than the entire right, title and interest.  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)  
in the patent application/patent identified above by virtue of either:
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or a true copy of the original assignment is attached.
- OR
- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Marco LARA et al. To: Atreve Software, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 009310, Frame 0795, or for which a copy thereof is attached.
2. From: Atreve Software, Inc. To: Webspective Software, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 009627, Frame 0172, or for which a copy thereof is attached.
3. A merger of WS Acquisition Corp., a wholly owned subsidiary of Inktomi Corp. with Webspective Software, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
4. A merger of December 2002 Acquisition Corp., a wholly owned subsidiary of Yahoo! Inc. with Inktomi Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael S. Garabrants  
Signature

Michael S. Garabrants  
Printed or Typed Name

Attorney of Record  
Title

1/26/06  
Date

(415) 268-8824  
Telephone Number

# Delaware

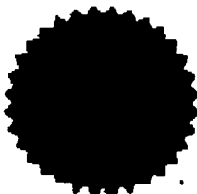
PAGE 1

## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"DECEMBER 2002 ACQUISITION CORP.", A DELAWARE CORPORATION, WITH AND INTO "INKTOMI CORPORATION" UNDER THE NAME OF "INKTOMI CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE NINETEENTH DAY OF MARCH, A.D. 2003, AT 5:30 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 2318797

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DATE: 03-19-03

03/19/03

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STATE OF DELAWARE  
 SECRETARY OF STATE  
 DIVISION OF CORPORATIONS  
 FILED 03:30 PM 03/19/2003  
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**CERTIFICATE OF MERGER**  
**OF**  
**DECEMBER 2002 ACQUISITION CORP.**  
**INTO**

**INKTOMI CORPORATION**

(Pursuant to Section 251(c) of  
 the General Corporation Law of the State of Delaware)

\*\*\*\*\*

The undersigned does hereby certify that:

**FIRST:** The name and state of incorporation of each of the constituent corporations to this merger is as follows:

Name	State of Incorporation
Inktomi Corporation	Delaware
December 2002 Acquisition Corp.	Delaware

**SECOND:** An Agreement and Plan of Merger (the "Agreement") dated as of December 22, 2002, by and among Yahoo! Inc., a Delaware corporation, December 2002 Acquisition Corp. and Inktomi Corporation has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251(c) of the General Corporation Law of the State of Delaware.

**THIRD:** The name of the surviving corporation is Inktomi Corporation.

**FOURTH:** The certificate of incorporation of Inktomi Corporation is amended and restated to read in its entirety as set forth in Exhibit A hereto.

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## ARTICLE VII

(A) To the fullest extent permitted by Delaware Law, as the same exists or as may hereafter be amended, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

(B) The Corporation shall indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he, his testator or intestate is or was a director or officer of the Corporation or any predecessor of the Corporation, or serves or served at any other enterprise as a director or officer at the request of the Corporation or any predecessor to the Corporation. The Company may indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he, his testator or intestate is or was an employee or agent of the Company or any predecessor of the Company, or serves or served at any other enterprise as an employee or agent at the request of the Company or any predecessor to the Company.

(C) Neither any amendment nor repeal of this Article VII, nor the adoption of any provision of the Corporation's Certificate of Incorporation inconsistent with this Article VII, shall eliminate or reduce the effect of this Article VII in respect of any matter occurring, or any action or proceeding accruing or arising or that, but for this Article VII, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

## ARTICLE VIII

The Corporation reserves the right to amend this Certificate of Incorporation in any manner permitted by Delaware Law and, with the sole exception of those rights and powers conferred under the above Article VII, all rights and powers conferred herein on stockholders, directors and officers, if any are subject to this reserved power.

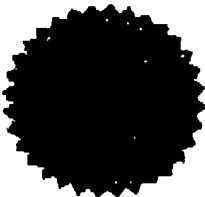
# Delaware

PAGE 1

## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"WS ACQUISITION CORPORATION", A DELAWARE CORPORATION, WITE AND INTO "WEBSPECTIVE SOFTWARE, INC." UNDER THE NAME OF "WEBSPECTIVE SOFTWARE, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FIRST DAY OF OCTOBER, A.D. 1999, AT 2 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

2717852 8100M

030499594

AUTHENTICATION: 2557482

DATE: 07-31-03



**CERTIFICATE OF MERGER**  
**MERGING**  
**WS ACQUISITION CORPORATION,**  
**A DELAWARE CORPORATION**  
**WITH AND INTO**  
**WEBSPECTIVE SOFTWARE, INC.,**  
**A DELAWARE CORPORATION**

Pursuant to Section 251 of the General Corporation Law of the State of Delaware

WebSpective Software, Inc., a Delaware corporation ("WebSpective"), does hereby certify as follows:

**FIRST:** The constituent corporations are WebSpective and WS Acquisition Corporation, a Delaware corporation ("WS").

**SECOND:** An Agreement and Plan of Reorganization (the "Reorganization Agreement"), dated September 15, 1999, among Inktomi Corporation, WS and WebSpective, setting forth the terms and conditions of the merger of WS with and into WebSpective (the "Merger"), has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 251 of the Delaware General Corporation Law.

**THIRD:** The name of the surviving corporation in the Merger (the "Surviving Corporation") shall be WebSpective Software, Inc.

**FOURTH:** The Restated Certificate of Incorporation of the Surviving Corporation is amended to read in its entirety as set forth in Exhibit A hereto:

**FIFTH:** An executed copy of the Reorganization Agreement is on file at the principal place of business of WebSpective at the following address:

WebSpective Software, Inc.  
66 B Street  
Needham, MA 02494

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
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**SIXTH:** An executed copy of the Reorganization Agreement will be furnished by the Surviving Corporation, on request and without cost, to any stockholder of either constituent corporation.

**SEVENTH:** The authorized capital stock of WS is 1,000 no par value shares, of common stock.

**EIGHTH:** The Merger shall become effective upon the filing of this Certificate of Merger with the Secretary of State of the State of Delaware.

**IN WITNESS WHEREOF,** WebSpective has caused this Certificate of Merger to be executed in its corporate name as of the 1<sup>st</sup> day of October, 1999.

**WEBSPECTIVE SOFTWARE, INC.**

By:   
Glenn M. Harris, Sr.  
President and Chief Executive Officer

**ATTEST:**  
  
Phyllis Doherty,  
Chief Financial Officer

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-2-

**MEMORIAL**  
**RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**WESPECTIVE SOFTWARE, INC.**

**ARTICLE 1.**

The name of the corporation is Wesperspective Software, Inc. (the "Corporation").

**ARTICLE 2.**

The address of the Corporation's registered office in the State of Delaware is Corporation Trust Center, 1203 Orange Street, Wilmington, New Castle County, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

**ARTICLE 3.**

The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

**ARTICLE 4.**

The Corporation is authorized to issue one class of shares to be designated Common Stock. The total number of shares of Common Stock this Corporation shall have authority to issue is 1,000, with par value of \$0.001 per share.

**ARTICLE 5.**

The Corporation is to have perpetual existence.

**ARTICLE 6.**

In furtherance and not in limitation of the powers conferred by statute, the Board of Directors is expressly authorized to make, alter, amend or repeal the Bylaws of the Corporation.

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**ARTICLE 7.**

The number of directors which constitute the whole Board of Directors of the Corporation shall be as specified in the Bylaws of the Corporation.

**ARTICLE 8.**

Meetings of stockholders may be held within or without the State of Delaware, as the Bylaws may provide. The books of the Corporation may be kept (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the Corporation.

**ARTICLE 9.**

To the fullest extent permitted by the Delaware General Corporation Law as the same exists or may hereafter be amended, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except to the extent such exception from liability or limitation thereof is not permitted under the Delaware Corporation Law as the same exists or may hereafter be amended. Neither any amendment nor repeal of this Article, nor the adoption of any provision of this Certificate of Incorporation inconsistent with this Article, shall eliminate or reduce the effect of this Article in respect of any matter occurring, or any cause of action, suit or claim that, but for this Article, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision.

**ARTICLE 10.**

Advance notice of new business and stockholder nominations for the election of directors shall be given in the manner and to the extent provided in the Bylaws of the Corporation.

**ARTICLE 11.**

Elections of directors need not be by written ballot unless the Bylaws of the Corporation shall so provide.

**ARTICLE 12.**

The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

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-2-

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